

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In Re

)

)

)

Bankruptcy No. _____

)

Debtor.

)

Chapter _____



COVER SHEET FOR APPLICATION FOR PROFESSIONAL COMPENSATION
(IN CASES UNDER CHAPTERS 7, 11 AND 12)

Name of Applicant: _____

Authorized to Provide Professional Services to: _____

Date of Order Authorizing Employment: _____

Period for Which Compensation is Sought:

From _____, _____ through _____, _____

Amount of Fees Sought: \$ _____

Amount of Expense Reimbursement Sought: \$ _____

This is an: Interim Application _____ Final Application _____

If this is *not* the first application filed herein by this professional, disclose as to all prior fee applications:

<u>Date</u>	<u>Period</u>	<u>Total Requested</u>	<u>Total Allowed</u>	<u>Fees & Expenses</u>
<u>Filed</u>	<u>Covered</u>	<u>(Fees & Expenses)</u>	<u>(Fees & Expenses)</u>	<u>Previously Paid</u>

Dated: _____

(Counsel)

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:) Chapter 11
)
EBRO FOODS, INC.) Judge Eugene R. Wedoff
)
Debtor and Debtor in Possession.) Case No. 09-10101
)
) Hearing: August 4, 2009 at 9:30 a.m.

NOTICE OF MOTION

To: See attached service list

PLEASE TAKE NOTICE that I will appear on August 4, 2009 **at 9:30 a.m.** before the Honorable Eugene R. Wedoff, or any other Judge sitting in his stead, in Courtroom 744, Dirksen Federal Building, 219 S. Dearborn St., Chicago, IL, and will then and there present the First Application for Interim Compensation for Professional Services and for and Reimbursement of Expenses of Forrest L. Ingram, P.C., attorneys for the Debtor and Debtor in Possession, and request entry of orders in accordance with these applications. AT WHICH TIME AND PLACE YOU MAY APPEAR AND BE HEARD.

/s/ Forrest L. Ingram
One of Debtor's attorneys

Forrest L. Ingram, P.C.
Forrest L. Ingram #3129032
Peter L. Berk
Patrick F. Lambe
Helena Milman
Gautham Kaveti
79 W. Monroe St., Suite 900
Chicago, IL 60603
(312) 759-2838

CERTIFICATE OF SERVICE

I, Patrick Lambe, an attorney, certify that I caused a true and correct copy of the above and foregoing Notice and the document, to which it refers, on all parties entitled to service, by electronic filing through ECF, or by regular U.S. mail, as set forth on the attached service list, at or before 5 p.m. on July 10, 2009.

/s/Patrick Lambe

SERVICE LIST

VIA CM/ ECF

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VIA FACSIMILE

EBRO Foods INC

1330 W 43rd Street
Chicago, IL 60609
(773) 696-0151

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:) Chapter 11
)
EBRO FOODS, INC.) Judge Eugene R. Wedoff
)
Debtor and Debtor in Possession.) Case No. 09-10101
)
) Hearing: August 4, 2009 at 9:30 a.m.

**FIRST APPLICATION FOR INTERIM COMPENSATION
FOR PROFESSIONAL SERVICES AND FOR REIMBURSEMENT OF EXPENSES OF
FORREST INGRAM, P.C.**

FORREST L. INGRAM, P.C., (“Applicant”) on behalf of its attorneys, duly appointed counsel for Debtor and Debtor in Possession Ebro Foods, Inc. (the “Debtor”), hereby makes its first application for interim compensation (“this Application”) pursuant to Section 331 of the United States Bankruptcy Code and Rule 2016 and Local Rule 607 and requests that this Honorable Court enter an order allowing compensation for legal services rendered and reimbursement of expenses incurred from March 24, 2009 through June 30, 2009. In support of this Application, Applicant states as follows:

1. On March 18, 2009, Debtor entered into an engagement agreement with Applicant for a Chapter 11 case.
2. On March 24, 2009, Applicant filed on Debtors’ behalf the petition for relief under chapter 11, Case No. 09-10101.
3. On April 22, 2009, the Court entered an order in this case allowing employment of Applicant as Debtors’ attorneys, retroactive to March 24, 2009. A copy of the order is attached hereto as **Exhibit A**.

4. Applicant has performed numerous legal services for Debtors thus far in this case. The times and chronology of the Applicant's services rendered in the above-entitled proceedings for the period from March 24, 2009 through June 30, 2009, are scheduled in detail to the tenth of an hour and arranged *by natures* in **Exhibit B**, attached hereto. A copy of Exhibit B has been sent to the Debtors with a request for review of the details, and for objections, if any. The Debtors have not objected to any items listed, to any of the services rendered, nor to any of the fees requested.

5. Applicant's billing detail, arranged *by attorneys and subsorted by natures*, is attached hereto as **Exhibit C**.

6. A brief description of the credentials of each employee of Forrest L. Ingram, P.C. for whom compensation is sought is attached hereto as **Exhibit D**.

7. All services for which compensation is requested were in connection with these bankruptcy proceedings. All services performed after the commencement of the above-entitled proceedings were in connection with the performance of duties of the Debtor and Debtor in Possession as prescribed by the Bankruptcy Code or pursuant to orders of this Court.

8. Applicant requests the allowance of payment of compensation for legal services during the period March 24, 2009 through June 30, 2009 in the sum of **\$20,846.50**. Applicant requests the entry of the order in less than four months because Applicant is a small firm requiring the shorter interval.

9. The services rendered by Applicant were directly related and necessary to the preparation for and the administration of the Chapter 11 case, including but not limited to representing the Debtors at the initial debtor interview and Section 341(a) meeting, responding to various

motions, strategizing with the debtors regarding debtor-in-possession money management, and discussing the related issues with Case No. 09-10104.

10. HOURS OF SERVICES SORTED BY CATEGORY OR “NATURE”– The attorneys and clerks of Forrest L. Ingram, P.C. provided a total of 66.4 hours of services during the current period. The hours, broken down by natures are summarized in **Exhibit B**. They are as follows:

a. Admin Approximately 35.1 hours of time and services were rendered in connection with matters that were administrative in nature including conferencing with the debtors to decide what information would be needed to file for bankruptcy, analyzing data to be entered into the Debtors’ schedules in appropriate categories, reviewing the Debtors’ schedules, instructing the Debtors as to their duties, filing of the chapter 11 petition, preparing for and attending the initial debtor interview and first meeting of creditors, responding to inquiries from creditors and other interested parties, and researching, drafting and filing basic motions before this Court, consulting with clients regarding state court litigations, and discussion of Debtor’s plan. For these services, Applicant asks for fees of \$10,535.50.

b. Adv Approximately 4.8 hours of time and services were rendered in connection with investigating the factual background of adversary claims, reviewing the relevant law and reviewing the relevancy to client. For these services, Applicant seeks \$1,811.00.

c. CashC Approximately 16.0 hours of time and services were rendered in connection with drafting, reviewing, and attempting to negotiate issues related to the use of cash collateral by the Debtor. For these services, Applicant seeks \$4,250.50.

d. CM Approximately 3.4 hours of time and services were rendered in connection with contested matters under Rule 9014, including claims filed in the Circuit Court of Cook County filed against Debtor and principals of Debtor. For such services, Applicant seeks \$1,496.00.

e. Cred Approximately 2.7 hours of time and services were rendered in connection with communicating with creditors of Debtors. For these services, Applicant seeks \$1,188.00.

f. DS&P Approximately 0.2 hours of time and services were rendered in connection with the Disclosure Statement and Plan including communication with the Debtor regarding such. For such services, Applicant seeks \$88.00.

g. Employ Approximately 0.6 hours of time and service was rendered in connection with applying to the Court for employment of the Applicant and other professionals. For such services, Applicant seeks \$221.00.

h. Fee Approximately 0.5 hours of time and service was rendered in connection with preparing billing and fee applications in connection with the Firm's representation of the Debtor. For Such services, Applicant seeks \$220.00. Additionally, 0.3 hours of time spent in connection with preparing fee applications was misnamed as "administrative" in Applicant's records, for a total of \$67.50.

i. Pre-Tr Approximately 2.0 hours of time and service was rendered in connection with reviewing documents related to potential pre-trial matters. For these services, Applicant seeks \$557.50.

j. Trste Approximately 0.7 hours of time and service were rendered in connection with communicating with the United States Trustee regarding status of the case, and representing the Debtors at the meeting of creditors. For such services, Applicant seeks \$308.00.

k. Tx Approximately 0.4 hours of time and service were rendered in connection with issues dealing with taxes. For such services, Applicant seeks \$176.00.

11. HOURS OF SERVICES SORTED BY ATTORNEYS AND CLERKS –The attorneys and clerks of the Firm provided a total of approximately 66.4 hours of service, broken down by attorney, as indicated on **Exhibit C**, as follows:

a. Attorney Forrest L. Ingram provided approximately 29.1 hours of services at \$440 per hour, including all phases of the chapter 11 case.

b. Attorney Gautham Kaveiti provided approximately 0.9 hours of service at \$175 per hour, focusing on collecting and inputting data into Debtor's schedules.

c. Attorney Helena Milman provided approximately 12.2 hours of service at \$200 per hour, including all phases of the chapter 11 case.

d. Attorney Patrick Lambe provided approximately 24.2 hours of service at \$225 per hour, including all phases of the chapter 11 case.

12. Applicant's customary fee includes actual compensation for time and services, fixed overhead, salaries, and unallocable costs.

13. Applicant has also expended costs in providing services to Debtors. Such costs, including the filing fee, postage, and copying costs, are set forth in **Exhibit E**, attached hereto. For such costs, Applicant seeks reimbursement in the sum of \$1,077.88.

14. Prior to the filing of this case to Chapter 11, Applicant received from Ebro Real Estate, LLC, on behalf of Ebro Foods, Inc., a retainer of \$20,000 and the payment of the filing fee for a chapter 11 case (\$1,039), for a total of \$21,039.00.

15. This Application and a Notice of Hearing on the First Application has been sent to the Debtor, to the U.S. Trustee, and to parties entitled to notice. A Notice for Hearing on this application has likewise been sent to all other creditors and parties of interest, along with a

summary of all services provided by Debtors' counsel to the Debtors. A certificate of service for the Notice has been filed with the Clerk of the Court.

16. This Court has jurisdiction over the subject matter pursuant to 28 U.S.C § 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A).

WHEREFORE, Applicant respectfully requests that the Court conduct an appropriate hearing on Counsel's application and allow a reasonable fee to Debtors' Counsel in the sum of \$20,846.50 for services for the period March 24 through June 30, 2009, plus costs of \$1,077.88. Applicant asks that it be granted leave to apply the advance retainer (\$20,000.00) and the advanced filing fee (\$1,039.00) to the amounts awarded. Applicant asks for such other relief as may be appropriate.

Respectfully submitted,

FORREST L. INGRAM, P.C.

/s/ Forrest L. Ingram
Attorney for Debtor

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